

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED

JUL 18 2022

Dillon

District Judge

Assign. by Clerk's Ofc.

Hoppe

Mag. Referral Judge

Assign. by Clerk's Ofc.

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIAJULIA C. DUDLEY, CLERK  
BY: Albeeson  
DEPUTY CLERK

For use by Inmates filing a Complaint under

CIVIL RIGHTS ACT, 42 U.S.C. §1983 or BIVENS v. SIX UNKNOWN NAMED AGENTS  
OF FED. BUREAU OF NARCOTICS, 403 U.S.C. §388 (1971)Elbryan Tremaine Davis

Plaintiff full name

#0025056

Inmate No.

v.

CIVIL ACTION NO.

7:22CV410

(A.T.F.)

"D.C. Lancaster", "The Bureau of Alcohol, Tobacco, Firearms and explosives", "Marshal of  
the United states" (U.S. Marshals) "City of Danville Virginia Police Department", "Michael J.  
Newman" "City of Danville, Office of the Commonwealths Attorney"  
\*\*\*\*\*

Defendant(s) full name(s)

A. Where are you now? Facility and Mailing Address Western Virginia RegionalJail - #5885 West River Rd. Salem, Va, #24153B. Where did this action take place? Danville, VirginiaC. Have you begun an action in state or federal court dealing with the same  
facts involved in this complaint?☐ Yes☒ No

If your answer to A is Yes, answer the following:

1. Court: \_\_\_\_\_

2. Case Number: \_\_\_\_\_

D. Have you filed any grievances regarding the facts of this complaint?

☐ Yes☒ No

1. If your answer is Yes, indicate the result:

\_\_\_\_\_

I was and am still incarcerated and was advised by my  
2. If your answer is No, indicate why:Lawyer Mark Williams to wait till my present case was  
over with

E. Statement of Claim(s): State briefly the facts in this complaint. Describe what action(s) each defendant took in violation of your federal rights and include the relevant dates and places. **Do not give any legal arguments or cite any cases or statutes.** If necessary, you may attach additional page(s). Please write legibly.

Claim #1 – Supporting Facts – Briefly tell your story without citing cases or law:

On October, 5th, 2020 I was falsely accused and charged with manufacturing/distribution of schedule I/II second offence, Possession of a firearm with drugs, and Possession of a firearm by a felon

Claim #2 – Supporting Facts – Briefly tell your story without citing cases or law:

It was stated that I sold 3.5 grams (8ball) of crack cocaine to a C.I. in a controlled buy (sting operation) but I did not nor was any cocaine found on me or in the car I was in. Also stated was I had a gun on me using it in a threatening manner when the registered gun was in a bag, in a box, in the trunk of the car I didn't own

F. State what relief you seek from the Court. Make no legal arguments and cite no cases or statutes.

\$2,500,000.00

G. If this case goes to trial do you request a trial by jury? Yes ☒ No ☐

H. If I am released or transferred, I understand it is my responsibility to immediately notify the court in writing of any change of address **after** I have been released or transferred or my case may be dismissed.

DATED: 7/14/2022 SIGNATURE: El Bryan Davis

VERIFICATION:

I, El Bryan Davis, state that I am the plaintiff in this action and I know the content of the above complaint; that it is true of my own knowledge, except as to those matters that are stated to be based on information and belief, and as to those matters, I believe them to be true. I further state that I believe the factual assertions are sufficient to support a claim of violation of constitutional rights. Further, I verify that I am aware of the provisions set forth in 28 U.S.C. §1915 that prohibit an inmate from filing a civil action or appeal, if the prisoner has, on three or more occasions, while incarcerated brought an action or appeal in federal court that is dismissed on the grounds that it was frivolous, malicious, or failed to state a claim upon which relief may be granted, unless the prisoner is imminent danger of serious physical injury. I understand that if this complaint is dismissed on any of the above grounds, I may be prohibited from filing any future actions without the pre-payment of the filing fees. I declare under penalty of perjury the foregoing to be true and correct.

DATED: 7/14/2022 SIGNATURE: El Bryan Davis

See attached for continued claims  
for section E.



from section E.

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## Claim #3

I was arrested and questioned for 7 hours at two of Danvilles precincts before being booked into the jail.

## Claim #4

The charges were fabricated. I sold no cocaine or anything ~~that~~ at all to a C.I. and was none found on me or the car but was still charged with second offence distribution of cocaine. When I never had the first offence to begin with.

## Claim #5

It wasn't my car I was driving at the time and not my gun, which was proven that I never touched it through finger printing and DNA testing. The report said I had it on me, using it.

## Claim #6

These charges were brought on for retaliation for not cooperating, telling Lancaster who I could get drugs from or open my phone. Use to locked me up without bond in which I had to pay \$5,000.00 for a lawyer Mecheal McPheatters to get a \$10,000.00 bond with the stipulation to stay out of Danville where I was living at the time a week after the incident.

## Claim #7

This was false imprisonment, retaliatory prosecution, and malicious prosecution that caused me mental anguish, loss wages from my job, financial stress, and emotional anxiety.



from section E.

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## Claim #8

Officer D.C. Lancaster who is an employee of the Bureau of Alcohol, Tobacco, Firearms and explosives ("ATF"), Marshal of the United States (U.S. Marshal) in Partnership with the "City of Danville, Virginia, Police Department interrogated me for 7 hours at two Danville preceints without water or bathroom break, wrote up the complaint and executed the warrents trough the Danville magistrate office

## Claim #9

Michael J. Newman of the City of Danville Office of the Commonwealths Attorney chose to keep in pursue and prosecute the case for six months even though the facts of the case didnt match the complaint on the warrents. ask for no bond, then the condition that I stay out of Danville where I was born and where I was living at the time for not cooperating and helping to continue their sting opperations.



Elbryan Davis #0025058

W.V.R. Jail

#5885 West River Road

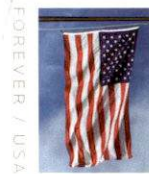
Salem, Va, #24153

Clerk, L  
#210 F  
Roan

WVRJ INMATE MAIL



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United States District Court  
Franklin Road, SW, Suite #540  
Arlington, Va, # 24011-2208

